

Notice of Allowability	Application No.	Applicant(s)	
	10/052,159	DAVIS, STEVEN S.	
	Examiner	Art Unit	
	Matthew O Savage	1723	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed on 8-12-03.
2. ☒ The allowed claim(s) is/are 1-6.
3. ☒ The drawings filed on 16 January 2002 and 12 August 2003 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No. _____.
 - (b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet.

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1 <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 4 <input checked="" type="checkbox"/> Interview Summary (PTO-413), Paper No. _____ |
| 5 <input type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____ | 6 <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9 <input type="checkbox"/> Other _____ |

Matthew O Savage
Primary Examiner
Art Unit: 1723

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Ms. Julie K. Morriss on 10-30-03.

1. (twice amended) A filter plate having improved wear-resistance, comprising:

a filter plate having opposing recessed faces providing a surface for movement of fluid therealong, a feed port and [passageway] a filtrate channel extending through said filter plate to a position proximate said recessed faces for the egress of filtrate from said filter plate, said filtrate channel having a portion with a closed cross section; and

replaceable wear elements positioned along said surface of at least one said recessed face of said filter plate and [in proximity to] through said portion of said [passageway] filtrate channel having a closed cross section to provide at least one filtrate opening and channel for directing filtrate flow from said filter plate.

2. (twice amended) The filter plate of claim 1 wherein said replaceable wear elements further comprise:

at least one replaceable wear plate positioned along said at least one said opposing recessed face;

at least one filtrate opening formed through said replaceable wear plate; and

a replaceable filtrate channel insert disposed within said filtrate channel having at least one opening formed therethrough for alignment with said at least one filtrate opening to provide fluid communication between said at least one wear plate and said filtrate channel insert.

3. (currently amended) The filter plate of claim 2 further comprising a filtrate outlet intersecting said filtrate channel, and a replaceable filtrate outlet insert disposed within said filtrate outlet positioned to be in fluid communication with said filtrate channel insert to redirect the direction of flow of filtrate from said filter plate.

Non-elected claims 7-19 have been canceled.

Paragraph 36 of the specification has been amended as follows:

-- [0036] The wear elements of the present invention also include a replaceable wear-resistant filtrate channel insert 80 which is sized to be received in the pre-formed filtrate channel 82 (shown in phantom in FIG. 3) of the filter plate 50. As shown in FIGS. 3 and 4, the pre-formed filtrate channel 82 includes a portion with a cylindrical closed cross section located between the filtrate outlet 98 and the recessed faces 55. The pre-formed filtrate channel 82 may be formed in the filter plate 50 at the time the filter plate 50 is molded by, for example, positioning a rod into the mold, which is later removed. Alternatively, the channel 82 may be machined into the filter plate 50 by known methods. --.

The following is an examiner's statement of reasons for allowance: British Patent 2,165,162 to Heaton and U.S. Patent 5,484,526 to Bonn is considered the closest prior art. Heaton fails to teach or suggest the limitation of replaceable wear elements positioned along the surface of the recessed face of the filter plate and through the portion of the filtrate channel having a closed cross section as recited in instant claim 1. While Bonn discloses a replaceable wear elements 6, 12, 35 along the surface of at least one recessed face of the filter plate, Bonn fails to teach or suggest a wear element extending through a portion of a filtrate channel having a closed cross section as recited in instant claim 1.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew O Savage whose telephone number is 703-308-3854. The examiner can normally be reached on Monday-Friday, 7:00am-3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wanda W. Walker can be reached on 703-308-0457. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.

M. Savage
Matthew O Savage
Primary Examiner
Art Unit 1723

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